

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6786
BILL NUMBER: SB 201

NOTE PREPARED: Apr 14, 2003
BILL AMENDED: Apr 10, 2003

SUBJECT: Land Use.

FIRST AUTHOR: Sen. Clark
FIRST SPONSOR: Rep. Stevenson

BILL STATUS: As Passed - House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) **A)** This bill specifies that review of a land use decision of a legislative body or the board of zoning appeals by certiorari is initiated by filing a petition with the court. It sets forth the persons that a remonstrator must notify of the filing of a petition for writ of certiorari. The bill also provides that an adverse party is not required to be named as a party to the petition for writ of certiorari.

B) This bill provides that a person who is not an elected official may serve on an advisory plan commission, which is created by joinder agreement, in the place of a commission member who: (1) is also member of a local legislative body; and (2) refuses to serve.

C) It also allows a county building authority to sell revenue bonds at a private or negotiated sale.

Effective Date: (Amended) Upon Passage; July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) **A)** This provision renders an additional specification of which persons should be served notices by the county sheriff. County sheriff offices receive a \$3 fee for serving notices. If additional notices are required due to this provision of the bill, the county sheriff would likely be able to recover any expenses incurred in serving additional notices. The petitioner is responsible for paying the fee for delivery of notices by a sheriff.

The bill also provides that petitions for writ of certiorari are to be filed, rather than presented, to the court, and that adverse parties do not need to be named on the petition. These provisions do not have an impact on local expenditures.

B) This provision has no fiscal impact.

Explanation of Local Revenues: (Revised) **C)** The fiscal impact of this provision is dependent on each bond sale and the market conditions at the time of the sale.

State Agencies Affected:

Local Agencies Affected: Trial courts; County Sheriff offices; building authorities; certain advisory plan commissions.

Information Sources: Indiana Sheriffs Association.

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